

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FREDRINA MOORE,
Plaintiff,

vs.

USAA CASUALTY INSURANCE
COMPANY d/b/a and/or a/k/a USAA,
Defendant.

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No. 23-cv-5184-JMY

ORDER

AND NOW, this 10th day of June, 2024 upon consideration of the Motion to Dismiss for Failure to State a Claim under Fed. R. Civ. P. 12(b)(6), filed by Defendant (ECF No. 5), after providing notice of intent to convert Defendant's motion to dismiss into a motion for summary judgment (ECF No. 11), and after considering all papers submitted in support thereof and in opposition thereto, it is **ORDERED** that the Court will apply the legal standard for summary judgment and **GRANT** Defendant's motion for the reasons set forth in the accompanying memorandum filed by the Court.

BY THE COURT:

/s/ John Milton Younge
Judge John Milton Younge